

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

GOBIND SINGH,)	
)	
Plaintiff,)	
)	Case No. 3:17-cv-00400
v.)	
)	District Judge Richardson
VANDERBILT UNIVERSITY)	Magistrate Judge Holmes
MEDICAL CENTER and)	
VANDERBILT UNIVERSITY,)	JURY DEMANDED
)	
Defendants.)	

RESPONSE TO SEALED MOTION TO ALLOW COUNSEL TO WITHDRAW

Gobind Singh has filed a *pro se* “Motion to Allow Counsel to Withdraw” that has been referred to the Magistrate Judge (D.E. 112). In response, Justin S. Gilbert, does not contest the withdrawal and shows:

1. The *pro se* motion is sealed such that the undersigned is not able to read its contents or the exhibits. Assuming, however, that the motion is to allow Mr. Gilbert to withdraw as legal representative, the undersigned joins in that request. Under the local rules for withdrawing, Mr. Gilbert shows the following.
2. Mr. Gilbert became counsel following attorney Tracey Kinslow, who requested to withdraw on July 5, 2018 following Dr. Singh’s *pro se* motion for new counsel. (D.E. 30, Motion to Withdraw).
3. With Mr. Gilbert, Dr. Singh’s legal claims were reinstated and he overcame summary judgment for all legal claims. (D.E. 99). After summary judgment, in May of 2020, mediation was undertaken with mediator Bob Boston of the Waller law firm in Nashville. Despite

substantial efforts over more than a week, and a continuance of the trial, the parties have not reached a resolution.

4. On June 14, 2020, Mr. Gilbert gave notice to Dr. Singh that he must extinguish the employment relationship. (Ex. 1).

5. As Mr. Gilbert's letter indicates, he wishes Dr. Singh to have continued success in his litigation. (*Id.*) Similarly, Dr. Singh has spoken kindly of Mr. Gilbert, as on June 10, 2020, when Dr. Singh alerted Mr. Gilbert to another residency case, stating "I hope Kleyman has someone like you helping her." (Ex. 2).

6. Despite the foregoing, the case does now require new counsel. The local rules require Mr. Gilbert to set forth the reason. Mr. Gilbert reiterates that he wishes Dr. Singh continued success in his legal case. After Mr. Gilbert's efforts, it was injurious to the relationship that Dr. Singh began consulting with new counsel and refused to disclose same, at times seeming to chart a different litigation strategy. Dr. Singh and Mr. Gilbert encountered respectful disagreements about strategy, time, and trust.¹

7. Accordingly, Mr. Gilbert has reminded Dr. Singh of the last settlement offers, (Ex. 1, fn. 1), he has filed the appropriate charging lien (D.E. 113), and he has endeavored to provide Dr. Singh with all the necessary file materials. Mr. Gilbert has apprised the mediator and opposing counsel of the status, the mediator commenting on Mr. Gilbert's work to date. (Ex. 3)

¹ Whereas Mr. Gilbert has become physically exhausted from answering Dr. Singh's questions, spending three nights away from family in the mediation alone and drafting dozens of documents to advance a settlement, expending weekend after weekend on the case, and answering hundreds of emails, Dr. Singh believes *insufficient* time and resources are being devoted to his case, that some questions are insufficiently answered, and that *more* manpower is required.

WHEREFORE, PREMISES CONSIDERED, the undersigned requests the withdrawal be granted.

Respectfully submitted,

GILBERT LAW, PLC

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been served on the attorneys listed below by electronic means via the Court's electronic filing system on July 6, 2020, including the following:

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